



# U.S. Department of Justice

the District of Kansas

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Aug. 13, 2008

## **SELF-PROCLAIMED INDIAN CHIEF CONVICTED OF IMMIGRATION FRAUD**

WICHITA, KAN. – A Wichita man who called himself “Grand Chief Thunderbird” was convicted in federal court here Wednesday on charges of setting up a fraudulent scheme to sell memberships in a so-called Indian tribe as a way for illegal immigrants to avoid deportation.

**Malcolm L. Webber**, 70, Wichita, Kan., was convicted on:

- 2 counts of harboring illegal aliens
- 2 counts of possession of false identification documents
- 1 count of conspiracy to defraud the United States
- 1 count of mail fraud

“Thousands of people paid for memberships in a fictitious Indian tribe dreamed up by Mr. Webber,” said U.S. Attorney Eric Melgren. “He gave them the false hope that joining his so-called Kaweah Indian Nation would make them U.S. citizens. The claim he made during trial that he had acted in good faith was not credible.”

Webber was indicted in February 2007 after reports came in from Social Security offices, drivers license bureaus and law enforcement agencies in Kansas, Nebraska, Oklahoma, Missouri, Texas, Michigan, California and other states that foreign nationals were showing up with documents purchased from Webber. The bearers were offering the documents as proof they were U.S. citizens. They were seeking Social Security cards, driver’s licenses and other forms of identification to which they claimed they were entitled. More than 300 sets of documents from the so-called Kaweah tribe were submitted to the Social Security office in Wichita by people claiming to be U.S. citizens.

The Bureau of Indian Affairs previously had determined that Webber was not a Native American Indian and his so-called Kaweah Indian Nation was not a Native American Indian tribe. The agency in 1984 denied a request by Webber for federal recognition of his Kaweah Indian Nation organization. The letter of denial stated that Webber was a “non-Indian” and that his organization had “no

characteristics of an Indian Tribe which has maintained tribal relations from historical times.”

Evidence was presented at trial that Webber and his representatives actively marketed memberships in the so-called tribe throughout the United States. Thousands of completed applications with photographs and money orders ranging in amounts from \$50 to \$500 were found in Webber’s office in Wichita. The government seized \$300,000 from a bank account bearing the name of the Kaweah Indian Nation.

The government is seeking forfeiture of all the proceeds of the crimes, which investigators estimate at more than \$1 million.

Webber is set for sentencing Nov. 3, 2008. He faces a maximum penalty of 15 years in federal prison without parole and a fine up to \$250,000 on the charge of possessing false identification documents with intent to defraud the United States; a maximum penalty of 10 years without parole and a fine up to \$250,000 on the charge of harboring illegal aliens; and a maximum penalty of 5 years without parole and a fine up to \$250,000 on the charge of conspiring to defraud the United States.

Co-defendants in the case include:

- **Angel O. Zamora**, who pleaded guilty and is set for sentencing Oct. 15, 2008.
- **Debra J. Flynn**, who pleaded guilty and is set for sentencing Oct. 10, 2008.
- **Chuck Flynn**, who pleaded guilty and is set for sentencing Oct. 9, 2008.
- **Eduviges Del Carmen-Zamora**, who pleaded guilty and is set for sentencing Oct. 3, 2008.

Melgren commended the agencies participating in the investigation including:

- Immigration and Customs Enforcement
- Social Security Administration’s Office of Inspector General
- Wichita Police Department
- Diplomatic Security Service of the U.S. Department of State
- Bureau of Indian Affairs’ Office of Inspector General
- United States Postal Inspection Service.

Melgren also recognized Assistant U.S. Attorney Brent Anderson, who prosecuted the case.